**PATENT** 

Attorney Docket No.: A-69192-1/DJB/JJD/AMS

## <u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

In re application of:	) Examiner: Unknown
MACK et al.	) Group Art Unit: 1645
Serial No.: 09/828,307	)
Filed: April 6, 2001	) )
For: Novel Methods of Diagnosing Cancer, Compositions, and Methods of Screening for Cancer Modulators	) ) ) <u>CERTIFICATE OF MAILING</u> )
	I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX MISSING PARTS, Washington, DC 20231 on

#### RESPONSE TO NOTICE TO FILE MISSING PARTS Filing Date Granted

Assistant Commissioner for Patents **BOX MISSING PARTS** Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application, Filing Date Granted, mailed May 16, 2001, enclosed are the following documents:

- 1) A copy of the Notice to File Missing Parts of Application, Filing Date Granted, Form PTO-153(b);
- Executed Declaration and Power of Attorney for Patent Application; 2)
- Executed Power of Attorney by Assignee; 3)
- PTO Communication and Amendment re Sequence Listing; 4)
- Substitute page 17 of Sequence Listing; 5)
- Substitute computer readable form copy of the Sequence Listing; 6)
- Petition for Extension of Time (1 Mo); 7)

Serial No.: 09/828,307 Filed: April 6, 2001

### 8) Check in the amount of \$1,729.00 comprised of the following:

Filing Fee	\$355.00
Surcharge for filing the fee	
on a date later than the filing date	\$ 65.00
Fee for 31 total claims over 20	\$279.00
Fee for 21 independent claims over 3	\$840.00
Fee for multiple dependent claim	\$135.00
Fee for 1 Month Extension of Time	\$ 55.00;

#### 8) Return postcard.

Applicant claims Small Entity status under 37 CFR 1.27.

The Assistant Commissioner is hereby authorized to charge any additional fees, including extensions, or credit any overpayment to Deposit Account 03-1600 (File A-69192-1/DJB/JJD/AMS).

Respectfully submitted,

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

By

David J. Brezner

Registration No. 24,774

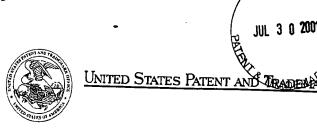
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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

JUL 3 0 2001

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/828,307

04/06/2001

David Mack

A-69192-1/DJB/JJD/AMS

**CONFIRMATION NO. 7761** 

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP Suite 3400 Four Embarcadero Center San Francisco, CA 94111-4187

**FORMALITIES LETTER** \*OC000000006081935\*

Date Mailed: 05/16/2001

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1254.
  - \$279 for 31 total claims over 20.
  - \$840 for 21 independent claims over 3.
  - \$135 for multiple dependent claim surcharge.
- · The oath or declaration is missing.
  - A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1674.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by \$7 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). 08/01/2001 EABUBAKI 00000030 09828307

# FC:204

355.00 GP 840.00 OP 279.00 OP

135.00 OP

**P**05

#### For questions regarding c mpliance t these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- T Purchase Pat ntln Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.g v or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE